



#22/15312
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PATENT
ATTORNEY DOCKET NO. 08139/002001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul T. Kolen et al.
Serial No.: 08/450,641
Filed : 5/25/95
Title : COLD THERAPY APPARATUS

Art Unit: 3311
Examiner: R. Nasser

Assistant Commissioner for Patents
Washington, DC 20231
BOX NON-FEE AMENDMENT

607/104
4-16-98
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37N1

AMENDMENT UNDER 37 CFR § 1.312(a)

Please amend claim 8 as follows:

8. (Fifth Amendment) A thermal therapy apparatus for applying temperature-controlled therapy to a therapy site on a mammalian body, comprising:

- a therapy pad for applying temperature-controlled therapy to the therapy site;
- a recirculation fluid loop comprising a fluid channel defined by said therapy pad;
- a pump for circulating fluid through said recirculation fluid loop;
- a thermal reservoir for containing fluid;
- a fluid exchanger coupling said thermal reservoir with said recirculation fluid

loop, said fluid exchanger being constructed to [controllably] mix a controllable amount of thermal reservoir fluid into said recirculation fluid loop; and

a control mechanism coupled to said fluid exchanger for enabling adjustable control of the mixing of thermal reservoir fluid into said recirculation fluid loop to thereby control the temperature of the fluid circulating in said recirculation fluid loop.

Date of Deposit April 3, 1998

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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